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### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Martin Hoffman on 22 September 2008.

The application has been amended as follows:

Claim 11 (Currently amended) A process for extracting gold or silver from a refractory material containing gold or silver, the process comprising fine grinding the material to a p80 of <20 microns, subjecting the ground material to a leaching step in the presence of an alkaline material which comprising lime and/or limestone and an oxidizing agent which comprises oxygen to produce partially oxidized material, maintaining the pH of the leaching step between 5-7, maintaining the temperature between 60-85 degrees C, adjusting the leaching step such that the amount of oxidation of the partially oxidized material is between about 9%-about 12%, and subjecting the partially oxidized material to a cyanide extraction step to recover the gold or silver.

The following is an examiner's statement of reasons for allowance: the reasons for allowance were set forth in the office action mailed 24 April 2008. Applicant amended Claim 1 to include subject matter in cancelled Claim 9 that was indicated to be allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMA M. MCGUTHRY-BANKS whose telephone number is (571)272-2744. The examiner can normally be reached on M-F 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Roy King/  
Supervisory Patent Examiner, Art Unit  
1793

/T. M. M./  
Examiner, Art Unit 1793  
2 October 2008